



Director's Toolkit for English Learners

2014-2015

Indiana Department of Education
Office of English learning and Migrant Education

Introduction

This living document is designed as a quick reference for district directors for English learners to understand the essentials of the federal and state requirements for English learner programming. For a full reference, please visit the EL Guidebook located at www.doe.in.gov/elme and the U.S. Department of Education at www.ed.gov.

Federal Law and Program Summaries

Each LEA receiving Title III funds is required by federal law to meet minimum program requirements. Federal laws relating to the distribution and use of Title III funds are found in the current ESEA document:

<http://www2.ed.gov/policy/elsec/leg/esea02/pg39.html>.

- Please visit [here to view an IDOE created PowerPoint and webinar regarding the federal requirements for English Learners.](#)



**Indiana
Department of Education**

Glenda Ritz, NBCT
Indiana Superintendent of Public Instruction

Title III, Language Instruction for Limited English Proficient and Immigrant Students

- The purpose of the federal Title III: Language Instruction for Limited English Proficient (LEP) and Immigrant Students of the *No Child Left Behind Act* of 2001 is to help ensure that children who are limited English proficient attain English proficiency, develop high levels of academic attainment in English, and meet the same challenging State academic content and student academic achievement standards as all children are expected to meet.
- Title III sub-grantees are required to provide LEP students with high-quality English language development instruction based on scientific research and to provide high-quality professional development to classroom teachers, principals, and administrators.
- English Learners (ELs) are categorized into five levels of English proficiency, Level 1 – Level 5, based on the results of the LAS Links English proficiency assessment administered to every EL student in the state of Indiana. EL students at Levels 1-4 are considered limited English proficient (LEP) and Level 5 students are considered fluent English proficient (FEP). According to research, it takes LEP students 1-2 years to learn conversational English, but 5-7 years to attain academic language proficiency. EL students receive daily English language development services and adaptations to classroom instruction and assessment to ensure that these students are able to reach proficiency in English and learn content in subject areas in order to graduate.
- The number of Limited English proficient (LEP) students enrolled in Indiana public schools in 2012-2013 was 51,467 representing 235 native languages other than English. Spanish was the native language of about 80% of these students. Approximately 63% of Indiana's English learners (ELs) were born in U.S., to families whose native language is other than English and only 37% of these students are actual immigrants to the U.S.
- Title III sub-grantees must annually assess EL students' progress in developing academic English language proficiency with the LAS Links English Proficiency Assessment. Title III requires States to establish English Language Proficiency (ELP) Standards to guide instruction and to develop annual measurable achievement objectives (AMAO) for accountability purposes. The AMAO performance targets address:
 - annual increases in the # and % of LEP students making progress in learning English (measured by LAS Links test)
 - annual increases in the # and % of LEP students attaining English proficiency (measured by LAS Links test), and making adequate yearly progress (AYP) at the corporation level for the LEP sub-group under Title I.
- Title III funds are allocated on a per pupil formula basis. In 2012-2013 the allocation was approximately \$142 per pupil. School corporations with at least a \$10,000 allocations are eligible to receive funds individually; whereas, those corporations with fewer than \$10,000 may apply jointly through a consortium.

For more information about Title III, visit: <http://www2.ed.gov/policy/elsec/leg/esea02/pg39.html>.

If you have questions contact Rachel Davidson at rdavidson@doe.in.gov.



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Non-English Speaking Program (NESP) English Learning & Migrant Education

- The State funded Non-English Speaking Program was first approved by the Indiana General Assembly in 1999. This program provides supplemental funding to eligible school corporations to serve limited English proficient (LEP) students. The purpose of the Non-English Speaking Program is to provide English language development instruction to K-12 limited English proficient (LEP) students in order to increase their English language proficiency and academic achievement.
- NESP sub-grantees must identify and meet performance indicators related to student learning, professional development, and parent involvement. NESP funds are used for direct instructional costs including personnel, English language development instructional materials, English language proficiency assessment, program administration costs, instructional computer software, professional development activities, and parent involvement activities.
- There are three specific goals for the NESP program:
 - Goal 1: Student Performance – LEP students will demonstrate growth in English language acquisition and in academic achievement;
 - Goal 2: Professional Development – School corporations and charter schools will provide increased opportunities for LEP related professional development to instructional staff; and
 - Goal 3: LEP Parent Involvement – School corporations and charter schools will provide additional support to parents of LEP students
- Each school corporation must assure that the following will occur:
 - schools must provide limited English proficient students with equal educational opportunity with the appropriate level of English language development (*Lau v. Nichols*, 414 U.S. 563 (1974) through the implementation of appropriate classroom instruction modifications and the appropriate level of English language development (ESL, ENL, sheltered content courses, structured immersion, bilingual education etc.) for each LEP student, documented on an Individual Learning Plan (ILP), to allow for meaningful participation in the district's educational program;
 - implementation of specific criteria to safeguard against inappropriate identification and placement into special education or speech services;
 - provision of instruction from properly certified, licensed teachers 511 IAC 6.1-3-1(d); ensuring that instructional aides work under the direct supervision of a certified teacher and not having the sole responsibility of teaching units of study 511 IAC 1-8-7.5; and that the ratio of the number of LEP students to qualified teachers in a class shall not exceed the state mandated student/teacher ratio for all classrooms;
 - implementation of reclassification to fluent English proficient (FEP) status, exiting from services, and monitoring policies; and
 - communication between the school and the home, whether about LEP students' progress or school activities, is conducted, to the extent possible, in the native/preferred language of the home.
- Non-English Speaking Program funds are allocated to school corporations and charter schools with at least one LEP student on a formula basis upon submission on the online grant application. The per pupil allocation is determined by the LEAs' LEP count that was submitted for the language minority report.

For more information about the Non-English Speaking Program, visit: <http://www.doe.in.gov/elme/non-english-speaking-program-nesp>.

If you have questions contact Rachel Davidson at rdavidson@doe.in.gov.

Hierarchy of EL-related Laws and Programs

Federal funds must “supplement and not supplant” [3115(g)] state and locally funded Lau Requirements. Supplement vs. Supplant requirements ensure that services provided with federal funds are ***in addition to*** and ***do not replace*** (or supplant) services that students would otherwise receive. Below you will find a hierarchy showing funding requirements and protocol.

Title I, Part C Migrant (for eligible students)

Supplemental services provided to identified migrant students who qualified due to a move across district lines in search of seasonal, agricultural work.



Title III (for all LEP students regardless of Title I participation)

Supplemental language development services provided to LEP students *above and beyond* the core instruction, core EL program, and if applicable, Title I services.

Title III federal funds can be used for this purpose.



Title I

Supplemental services provided to LEP students eligible for Title I.

For school-wide, all students are eligible. For targeted assistance, LEP students are eligible using the same criteria as all students.

Title I funds provide academic support to students, including LEP students, to meet Indiana's challenging academic achievement standards. LEAs may also use Title I, Part A funds to provide a language instruction educational program (as defined in Part C of Title III of the ESEA) for LEP students eligible for Title I.

Title I federal funds can be used for this purpose.



Core EL program (required by Lau 1974, Castaneda 1981)

Required by federal law to be provided to limited English proficient (LEP) students. These English language development services are in addition to the core instruction. State and local funds are used to provide the core EL program. *Must occur in the absence of federal funds. Federal funds (i.e. Title I or III) cannot be used to provide the core EL program.*

Non-English Speaking Program (NESP)

NESP is a state grant which can be used to support the Lau requirements



Core Instruction

Provided to all students. Paid for with state and local funds.

Federal Guidance and Regulations

Lau v. Nichols

Lau v. Nichols was a civil rights case that was brought by Chinese American students living in San Francisco, California who had limited English proficiency. The students claimed that they were not receiving special help in school due to their inability to speak English, help which they argued they were entitled to under Title VI of the Civil Rights Act of 1964 because of its ban on educational discrimination on the basis of national origin.

"All English learners come to school with varied experiences, but not all of their background knowledge matches what they need to know to be successful in U.S. schools."

"Where inability to speak and understand the English language excludes national origin-minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students."

Castañeda v. Pickard

Castañeda v. Pickard: On June 23, 1981, the Fifth Circuit Court issued a decision that is the seminal post-Lau decision concerning education of language minority students. The case established a three-part test to evaluate the adequacy of a district's program for ELL students:

- 1) is the program based on an educational theory recognized as sound by some experts in the field or is considered by experts as a legitimate experimental strategy;
 - 2) are the programs and practices, including resources and personnel, reasonably calculated to implement this theory effectively; and
 - 3) does the school district evaluate its programs and make adjustments where needed to ensure language barriers are actually being overcome?
- [648 F.2d 989 (5th Cir., 1981)]

Case Law & Related Statutes

Title VI of the Civil Rights Act of 1964 and its regulations at 34 CFR Part 100.2 - "No person in the U.S. shall, on the ground of race, color, national origin be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

May 25, 1970, Memorandum, Department of Health, Education, and Welfare - This memorandum interpreted the Civil Rights Act. It delineates the responsibility of school districts in providing equal education opportunity to national origin minority group students whose English language proficiency is limited. The following quotes discuss some major areas of concern with respect to compliance with Title VI and have the force of Law:

"Where inability to speak and understand the English language exclude national origin minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students."

"School districts have the responsibility to adequately notify national origin minority group parents of school activities which are called to the attention of other parents. Such notice, in order to be adequate, may have to be provided in a language other than English."

"School districts must not assign national origin minority group students to classes for the mentally retarded on the basis of criteria which essentially measure or evaluate English language skills; nor may school districts deny national origin minority group children access to college preparation courses on a basis directly related to the failure of the school system to inculcate English language skills."

1974 - Equal Educational Opportunities Act (EEOA) - "No state shall deny equal educational opportunity to an individual on account of his or her race, color, sex or nation origin, by ... the failure of an educational agency to take appropriate action to overcome language barriers that impede equal participation by its students in its instructional programs."

Title II of the Americans with Disabilities Act of 1990, 42 USC 12131-12161 - Title II of the ADA prohibits discrimination against qualified individuals with disabilities on the basis of disability in all programs, activities, and services of public entities. Public entities include state and local governments and their departments and agencies. Title II applies to all activities, services and programs of a public entity.

Individuals with Disabilities Educational Act (IDEIA) of 2004 - The purpose of IDEA 2004 is to ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living; to ensure that the rights of children with disabilities and their parents are protected; to assess and ensure the effectiveness of efforts to educate children with disabilities.

Lau v. Nichols The decision stated that providing students the same desks, books, teachers and curriculum did not ensure that they had equal educational opportunity, particularly if the students did not speak English. If English is the mainstream language of instruction, then measures have to be taken to ensure that instruction is adapted to address those children's linguistic characteristics (*Lau v. Nichols*, 414 U.S. 563, 94 S. Ct. 786, 1974).

Castaneda v Pickard, 648 F2d 989(5th Cir 1981), the 5th Circuit set out a widely adopted three-part test to determine whether districts have taken “appropriate action” to remedy the language deficiencies of their ELLs: (1) is the school “pursuing a program informed by an educational theory recognized as sound by some experts in the field, or at least, deemed a legitimate experimental strategy”; (2) are the programs and practices actually used by the school “reasonably calculated to implement effectively the educational theory adopted by the school”; and (3) does the program “produce results indicating that the language barriers confronting students are actually being overcome”. Congress intended that schools make a “genuine and good faith effort, consistent with local circumstances and resources, to remedy the language deficiencies of their students,”

Plyer vs. Doe (1982) The United States Supreme Court stated that school systems must enroll and educate children residing in their district even if their parents do not possess legal residency documents.

Further information about federal and state laws regarding ENL students can be found at:

<http://www.doe.in.gov/elme>

Equal Access

In 1970, the federal Office for Civil Rights (OCR) issued a memo regarding school districts' responsibilities under civil rights law to provide an equal educational opportunity to ELs. This memorandum stated:

“Where the inability to speak and understand the English language excludes national origin minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students”.

ELs are required to have equal access to the full range of district programs, including special education, Title I, gifted and talented programs, and nonacademic and extracurricular activities.

Although the memo requires school districts to take affirmative steps, it does not prescribe the content of these steps. It does, however, explain that federal law is violated if:

- students are excluded from effective participation in school because of their inability to speak and understand the language of instruction;
- national origin minority students are inappropriately assigned to special education classes because of their lack of English skills;
- programs for students whose English is less than proficient are not designed to teach them English as soon as possible, or if these programs operate as a dead end track; or
- parents whose English is limited do not receive school notices or other information in a language they can understand.

In its 1974 decision in ***Lau v. Nichols***, the United States Supreme Court upheld OCR's 1970 memo. The basis for the case was the claim that the students could not understand the language in which they were being taught; therefore, they were not being provided with an equal education. The Supreme Court agreed, saying that:

There is no equality of treatment merely by providing students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education.

The case reaffirmed that all students in the United States, regardless of native language, have the right to receive a quality education. It also clarified that equality of opportunity does not necessarily mean the same education for every student, but rather the same opportunity to receive an education. An equal education is only possible if students can understand the language of instruction.

Within weeks of the ***Lau v. Nichols*** ruling, Congress passed the Equal Educational Opportunity Act (EEOA) mandating that no state shall deny equal education opportunity to any individual, "by the failure by an educational agency to take appropriate action to overcome language barriers that impede equal participation by students in an instructional program." This was an important piece of legislation because it defined what constituted the denial of education opportunities.

The U.S Department of Education's OCR oversees school districts' broad discretion concerning how to ensure equal educational opportunity for ELs. OCR does not prescribe a specific intervention strategy or program model that a district must adopt to serve ELs.

The following guidelines have been outlined for school districts to ensure that their programs are serving ELs effectively. Districts should:

- identify students as potential ELs;
- assess student's need for EL services;
- develop a program which, in the view of experts in the field, has a reasonable chance for success;
- ensure that necessary staff, curricular materials, and facilities are in place and used properly;
- develop appropriate evaluation standards, including program exit criteria, for measuring the progress of students; and
- assess the success of the program and modify it where needed.

For additional information regarding the provision of equal education opportunity to ELs, contact the [Office for Civil Rights](#) enforcement office at:

Phone: (800) 421-3481

Email: ocr@ed.gov

URL: <http://www.ed.gov/about/offices/list/ocr/index.html>

Required Documents for English Learners

The following is a list of documents that provide evidence of district compliance with Title III program requirements. Additional documents may be added as required by guidance from the U.S. Department of education. Indiana Department of Education staff may require districts to submit evidence of compliance as part of on-going required federal monitoring for Title III.

Document	Description	Required by:	Timeline
Initial Identification/program placement-Parent Notification Letter	Letter informing parents that their students has qualified (EL/LEP) and been placed in an appropriate level of service , must contain all elements listed in (Sec. 3302). Must be signed by district personnel include the specific date sent (mm/dd/yyyy).	Title I 1112 of ESEA	Within the first 30 days of school year OR within 2 weeks of enrollment.
Continuing Program Placement Letter	Letter informing parents that their EL/LEP student is continuing in the district EL program. Must contain all elements listed in (Sec. 3302) and must be signed by district personnel and include the specific date sent (mm/dd/yyyy).	Title III 3302 of ESEA	Within the first 30 days of school year OR within 2 weeks of enrollment.
Home Language Survey	Questionnaire assisting in identification of potential EL students; must be given to all students.	Title I III of ESEA	When a student is enrolled in a district.
Waiver	Signed documentation that a parent has been informed that their student has qualified for EL services and the parent has decided to waive/refuse services.	Ensure compliance with Title VI of Civil Rights Act of 1964	EL services at any time for their identified EL/LEP student.
Consultation with Private schools	Signed documentation that the District has met with private schools within the district geographic area, addressing Title III services and identification of EL students. Must be signed and dated by both private school and District personnel.	Section 9501 of ESEA	Annual consultation are conducted with private schools; all potential EL/LEP and recent arriver/immigrant students should be included in consultation.
AMAO Parent Notification	Letter sent to parents informing them that the District failed to meet the AMAO targets; must be signed by district personnel and include the specific date sent (mm/dd/yyyy).	Title III 3122 of ESEA	Within 30 days of district notification of failure to meet AMAO targets.
LEP Exit Notification	Letter informing parents that their student has exited from the English Development program; should be signed and dated.	Title III of ESEA	Sent to parents when student has met the state's requirement for becoming Fluent English Proficient.
2 Year Monitoring	Form completed once students have attained the state's requirement for becoming Fluent English Proficient, which documents the academic progress of the student for two years.	Title III 3121 of ESEA	Completed by educators that have knowledge of the student's academic performance and placed in the student's cumulative folder.

Title III Dates Clarification

In order to provide clear communication on the concurrent Title III grant and reporting cycles, the Office of English Learning and Migrant Education has created the chart below for your reference. Please note that we are now referring to all Title III grants as a 2 year period to reference the 27 month length of the grant.

Title III Grant 2012-2014

Application Due	Application has been postmarked and mailed to IDOE.	08/30/2012
Grant Effective	Activities and purchases made starting on this date can be reimbursed by the grant.	Date application is submitted to IDOE in substantially approvable form
Encumber Deadline	Activities have taken place and/or Materials/Equipment/Technology have been ordered.	09/30/2014
Liquidate Deadline	Approved activities/purchases have been paid for and the school corporation has submitted all requests for reimbursement.	12/15/2014

Title III Grant 2013-2015

Application Due	Application has been postmarked and mailed to IDOE.	08/30/2013
Grant Effective	Activities and purchases made starting on this date can be reimbursed by the grant.	Date application is submitted to IDOE in substantially approvable form
Encumber Deadline	Activities have taken place and/or Materials/Equipment/Technology have been ordered.	09/30/2015
Liquidate Deadline	Approved activities/purchases have been paid for and the school corporation has submitted all requests for reimbursement.	12/15/2015

Title III Grant 2014-2016

Application Due	Application has been postmarked and mailed to IDOE.	08/30/2014
Grant Effective	Activities and purchases made starting on this date can be reimbursed by the grant.	Date application is submitted to IDOE in substantially approvable form
Encumber Deadline	Activities have taken place and/or Materials/Equipment/Technology have been ordered.	09/30/2016
Liquidate Deadline	Approved activities/purchases have been paid for and the school corporation has submitted all requests for reimbursement.	12/15/2016

Enrollment Procedures

In accordance with Performance Based Accreditation compliance guidelines, all schools are required to administer a Home Language Survey (census) to all first time enrollees (i.e. Kindergarten) or out-of-state students to identify the first (native) language(s) of all students enrolled in the school corporation. This is done by registering staff at the time of **enrollment** and not thereafter. For students that are transferring from an Indiana school, school staff will contact the previous school to obtain the original home language survey. The Home Language Survey shall identify students in need of English language development services. Based on the results of this survey, students will be tested for their level of English proficiency and provided services as needed. If a language other than English is indicated for any of the questions, the student is considered to be a language minority student.

Home Language Survey Required Questions

- What is the native language of the student?
- What languages does the student speak most often?
- What language does the student speak at home?

English Language Proficiency Assessment

EL staff or designated and trained individuals shall assess new EL students to the school corporation with the state-approved LAS Links assessment tool to measure proficiency in English. The English proficiency assessment shall be conducted **within 30 calendar days** of the beginning of the school year, or within 2 weeks of enrollment if the child enrolls later in the school year. The purpose of English language proficiency assessment is to identify a level of English proficiency so appropriate EL programming and mainstream accommodations may be made for the EL students.

Note: Only a person holding an Indiana license can administer LAS Links Placement test or LAS Links Annual Proficiency test.

Chapter 10 of the Indiana Assessment Program Manual discusses test preparation, administration and reporting. Specifically, it defines the test examiners and their roles as the following:

Test Examiners and Their Role

The assessment is to be administered only by personnel who hold a license granted by the Indiana Department of Education. The license must be an instructional, administrative, or school services license. Personnel not properly trained and certified (e.g., teacher's aides, secretaries, or substitute teachers who do not hold one of the above mentioned licenses) may ONLY serve as proctors, NOT as test examiners. In no case may unlicensed personnel be allowed to supervise the test administration without the guidance of a test examiner. Test examiners should be thoroughly familiar with the tests to be administered and with the procedures to be followed during testing. This includes:

- *Studying the Examiner's Manuals (paying specific attention to the icons representing reading comprehension and calculator usage);*
- *Reviewing the Code of Ethical Practices and Procedures (in Appendix A of this manual); and*
- *Reading all applicable portions of the current Indiana Assessment Program Manual.*

Therefore, the test administrator must be a licensed individual. In addition, a school corporation can have proctors that support the test administrator. Essentially, what this means is that the test administrator (licensed personnel) is in charge of getting the students started and make sure they understand the directions and then the proctor takes over. This way the test administrators can oversee several rooms at a time. After the students begin the assessment, the proctor would be available to work with a small group or individual students. However, in the end, the test administrator must ensure the test is properly administered.

EL Student Placement

EL students who enroll in an Indiana school corporation are to be placed with their age/grade appropriate peers.

The lack of English language proficiency in any domain of listening, speaking, reading and writing is not to be considered in the grade placement of EL students.

Home Language Survey (HLS)

The Civil Rights Act of 1964, Title VI, Language Minority Compliance Procedures, requires school districts and charter schools to determine the language(s) spoken in each student's home in order to identify their specific language needs. This information is essential in order for schools to provide meaningful instruction for all students as outlined Plyler v. Doe, 457 U.S. 202 (1982).

The purpose of this survey is to determine the primary or home language of the student. The HLS must be given to all students enrolled in the school district / charter school. The HLS is administered once, upon initial enrollment in Indiana, and remains in the student's cumulative file.

Please note that the answers to the survey below are student-specific. If a language other than English is recorded for ANY of the survey questions below, the LAS Links placement test will be administered to determine whether or not the student will qualify for additional English language development support.

Please answer the following questions regarding the language spoken by the student:

1. What is the native language of the **student**? _____
2. What language(s) is spoken most often by the **student**? _____
3. What language(s) is spoken by the **student** in the home? _____

Student Name: _____ **Grade:** _____

Parent/Guardian Name: _____

Parent/Guardian Signature: _____ **Date:** _____

By signing here, you certify that responses to the three questions above are specific to your student. You understand that if a language other than English has been identified, your student will be tested to determine if they qualify for English language development services, to help them become fluent in English. If entered into the English language development program, your student will be entitled to services as an English learner and will be tested annually to determine their English language proficiency.

For School Use Only:

School personnel who administered and explained the HLS and the placement of a student into an English language development program if a language other than English was indicated:

Name: _____ Date: _____

Parental Notification and Involvement

Title III, Section 3302, has two timelines for providing parental notifications: one for the student who is new to the LEA and one for a continuing student. Additionally, there is a requirement for programs to notify parents of a program's failure to meet annual AMAO targets. This notification is required to be in a parent's primary language, as is reasonable for the school district to offer.

For LEP students who have been enrolled in the LEA since the previous school year, parental notifications must be provided no later than 30 calendar days after the beginning of the school year. LEAs should use the most current information available regarding each student in these notifications (Title III, Section (a)).

For students enrolling after the beginning of the school year, LEAs must provide the parental notifications within two weeks of a child being placed in a program. This timeline does not conflict with the state requirement of testing students for English proficiency within 30 calendar days of enrollment and placement in an appropriate program (**Education Code** sections 306(a), 313, 60810-60811, 62002; formerly **Education Code** Section 52164.1 (b)(c); Title 5, Education sections 4304, 11511; **Code of Federal Regulations**, Title 34, Education, parts 300, 300.532(a)(c)).

Note: An LEA may issue one parental notification that meets both state and federal requirements for all new LEP enrollees. However, all parents of LEP students must be notified annually of the students' placement in a language instruction program, and not just newly enrolled students.

According to **Education Code** Section 48985, when 15 percent or more of the pupils enrolled in the school speak a single primary language other than English, all notices, reports, statements, or records sent by the school or district to the parent/guardian of any such pupil must, in addition to being written in English, be written in such primary language and may be responded to by the parent or guardian in English or in the primary language.

In addition, federal law requires that schools and districts effectively communicate with all parents and guardians, regardless of the percentage of students that speak a language other than English (Title III, Section 3122 (c)).

[Insert School Corporation Letterhead]
Annual Parent Notification

Last Name		First Name	
School		Grade	

[Insert Date]

Dear Parent/Legal Guardian:

We are sending this letter to inform you of your child's identification as an English learner (EL) and of his/her placement into an English language development program for the **[insert year]** school year. We are following the federal law as required of all school corporations:

- (1) To identify limited English proficient (LEP) students;
- (2) To assess students' progress in learning English; and
- (3) To provide students with services to increase their English proficiency and academic achievement

Your child will participate in a program to help him/her attain English proficiency in listening, speaking, reading and writing, succeed in academics and meet graduation requirements. The following table identifies the method(s) of instruction that will be used with your child: **[Put "x" in placement for this child; Delete programs that you do not use/offer]**
 To identify students that are ELs and the educational services they will need, we use the Home Language Survey (HLS) and

Name	Description	Placement
Sheltered English/ Content-Based English	The goal is proficiency in English while focusing on learning content knowledge and skills in an all-English setting. Instruction is provided in English only and is adapted to a student's proficiency in English. Instruction is supported by visual aids and support (as available) in the student's native language.	
Structured Immersion	The goal is fluency in English and typically serves only ELs in the classroom. All instruction is in English but has been adjusted to the student's proficiency level so that subject matter is comprehensible.	
Pull-out English Language Development (ELD)	The goal is to develop fluency in English. Students leave the mainstream classroom part of the day to receive ELD instruction.	
Push-in English Language Development (ELD)	The goal is to develop fluency in English. Students are served in the mainstream classroom, receiving instruction in English and native language support if needed.	
Transitional Bilingual Education	The goal is to develop English proficiency skills as soon as possible, without delaying learning of academic core content. Instruction begins in the student's native language but rapidly moves to English. Students are typically transitioned into mainstream classrooms with their English-speaking peers as soon as possible.	
Other	[Insert description, including content, instructional goals, and the use of English in instruction]	
Not Applicable	Written confirmation has been received from the parent indicating the parent wishes to deny English language development instruction for their child	

LAS Links Assessment. The LAS Links Assessment measures students' English abilities in listening, speaking, reading, and writing. Your child's **overall** English language proficiency score on his/her LAS Links Assessment was:

Level 1 Beginner	Level 2 Early Intermediate	Level 3 Intermediate	Level 4 Advanced

*Descriptors taken from: http://www.ncela.gwu.edu/files/uploads/5/Language_Instruction_Educational_Programs.pdf

In order to exit the English language development program your child must obtain two overall consecutive level 5's (Fluent) on the LAS Links Assessment. After exiting from the program, your child's academic progress will continue to be monitored for two years. While the rate of attaining English language proficiency varies greatly from student to student, research has shown that it typically takes 5-7 years to attain English proficiency and exit from English language development services. Indiana's expected rate of graduation is currently 96%.

If your child has been identified with a disability in which they also require an Individual Education Plan (IEP), the English language development program will be used in coordination with your child's existing IEP.

As a parent, you have the right to:

- (1) Remove your child from the English language development program; and
- (2) Decline your child's participation in the program or choose another program or method of instruction

If you decide to not have your child participate in the English language development program, he/she will still be required to complete the LAS Links Assessment under federal law. If you have any questions about the placement of your child for this school year, please contact **[Insert Name, Title]** at **[Insert Phone Number]**.

Sincerely,

[Insert Director's Name, Title]

**Title III and Non-English Speaking Program
Timeline of Events: January 1-December 31**

Event	Purpose	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
DOE-LM Late Data/Online Signoff Window	All late data/clean up must be submitted	X											
ELP (English language proficiency) Assessment Annual Training	Training on how to administer the ELP Annual Assessment. Takes place beginning of January.	X											
ELP (English language proficiency) Annual Assessment	Annual Assessment administered at School Corporations. Takes place end of January through February.	X	X										
DOE-LEP1 Collection	Data collection to indicate students exercising federal flexibility on state assessments.					X	X						
Title III funding allocation amounts determined	Receive allocation and complete per-pupil formula. Takes place end of July.							X					
NESP Grant Application Released	Grant application is opened on DOE-Online. Takes place middle/end of August.								X				
Title III Grant Application Released	Title III Grant Application is released to school corporations. Takes place end of July.							X					
NESP Grant Application Review and Approval.	NESP Grant Application Review and Approval. Takes place August-September								X	X			
ELP Placement Assessments and Ordering	School corporations order LAS Links Placement Assessments and Pre LAS 2000 Assessments. Takes place beginning of August.								X				

Event	Purpose	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Title III Annual Performance Report (APR) and Fiscal End Report Released	Title III APR and Fiscal End Reports are released for schools to complete. Takes place middle of August.								X				
NESP Annual Performance Report (APR) and Fiscal End Report Released	NESP APR and Fiscal End Reports are released for school to complete. Takes place middle of August.								X				
ELP Placement Assessment Training	The Office of Student Assessment posted training videos on how to administer the Placement Assessment on their Learning Connection page. Takes place prior to test administration at the beginning of the school year.							X	X				
NESP Grant Applications Due	NESP Grant Applications Due. Takes place end of August/September.								X	X			
ELP Placement Assessments	School Corporations must administer the Placement Assessment within 30 days from the beginning of the school year or within 2 weeks of when a student enrolls later in the year.								X	X			
Title III Grant Applications Due	Title III Grant Applications are due. Takes place end of August.								X				
Title III Grant Application Review and Approval	Title III Grant Application Review and Approval. Takes place September-November.									X	X	X	
Title III Annual Performance Report (APR)	APR and Fiscal End Report Due from school corporations. Due September 30th.									X			

[illegible]

ELP Annual Assessment materials delivered	School Corporations receive ELP Annual Assessment materials. Student Assessment is in charge of this. Takes place middle of December.													X
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Title III

Non-English Speaking Program (NESP)